

02-08-01

A/Box/Sec

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P-4423D1

First Inventor

David J. Wright et al.

Title

Express Mail Label No.

EL438508164US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **26**]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total **18**]
5. Oath or Declaration [Total Pages **4**]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/335,218**
Prior application information: Examiner **B. Forman**Group / Art Unit **1655**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

**26253**

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Donna R. Fugit, Ph.D.

Registration No. (Attorney/Agent)

32,135

Signature

Donna R. Fugit

Date

7 FEB 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

02/07/01

1c962 U.S. PTO

09778165 020701

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number	To be assigned
Filing Date	February 7, 2001
First Named Inventor	David J. Wright et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	P-4423D1

TOTAL AMOUNT OF PAYMENT \$746.00

1c962 U.S. PTO  
09778165  
02/07/01

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-1666**

Deposit Account Name **Becton, Dickinson and Company**

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR § 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

### FEE CALCULATION

1. BASIC FILING FEE						
Large Entity			Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee Paid
101	710	201	355	Utility filing fee		710.00
106	320	206	160	Design filing fee		
107	490	207	245	Plant filing fee		
108	710	208	355	Reissue filing fee		
114	150	214	75	Provisional filing fee		
SUBTOTAL (1)						\$710.00

2. EXTRA CLAIM FEES			
Extra Claims		Fee from below	Fee Paid
Total Claims	<div>22</div> - 20** = <div>2</div>	X <div>18.00</div>	= <div>36.00</div>
Independent Claims	<div>1</div> - 3** = <div>0</div>	X <div>80.00</div>	= <div>0.00</div>
Multiple Dependent		<div></div>	= <div></div>
Large Entity Small Entity		Fee Description	
Fee Code	Fee Code	Fee (\$)	Fee (\$)
103	18	203	9
102	80	202	40
104	270	204	135
109	80	209	40
110	18	210	9
		Claims in excess of 20	
		Independent claims in excess of 3	
		Multiple dependent claim, if not paid	
		** Reissue independent claims over original patent	
		** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		\$36.00	

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	<input type="text"/>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139	130	Non - English specification	<input type="text"/>
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="text"/>
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215	55	Extension for reply within first month	<input type="text"/>
116	390	216	195	Extension for reply within second month	<input type="text"/>
117	890	217	445	Extension for reply within third month	<input type="text"/>
118	1,390	218	695	Extension for reply within fourth month	<input type="text"/>
128	1,890	228	945	Extension for reply within fifth month	<input type="text"/>
119	310	219	155	Notice of Appeal	<input type="text"/>
120	310	220	155	Filing a brief in support of an appeal	<input type="text"/>
121	270	221	135	Request for oral hearing	<input type="text"/>
138	1,510	138	1,510	Petition to institute a public use proceeding	<input type="text"/>
140	110	240	55	Petition to revive - unavoidable	<input type="text"/>
141	1,240	241	620	Petition to revive - unintentional	<input type="text"/>
142	1,240	242	620	Utility issue fee (or reissue)	<input type="text"/>
143	440	243	220	Design issue fee	<input type="text"/>
144	600	244	300	Plant issue fee	<input type="text"/>
122	130	122	130	Petitions to the Commissioner	<input type="text"/>
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	<input type="text"/>
126	180	126	180	Submission of Information Disclosure Statement	<input type="text"/>
581	40	581	40	Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179	710	279	355	Request for Continued Examination (RCE)	<input type="text"/>
169	900	169	900	Request for expedited examination of a design application	<input type="text"/>
Other fee (specify) _____					<input type="text"/>
SUBTOTAL (3)					<input type="text"/>

\*Reduced by Basic Filing Fee Paid

\*Reduced by Basic Filing Fee Paid

### SUBMITTED BY

Name (Print/Type)	Donna R. Fugit, Ph.D.	Registration No. (Attorney/Agent)	32,135	Telephone	201-847-7166
Signature	Donna R. Fugit			Date	7 FEB 2001

Complete (if applicable)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231